



§141.0504 Cannabis Outlets

Cannabis outlets that are consistent with the requirements for retailer or dispensary license requirements in the California Business and Professions Code may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, [Article 1](#) (Base Zones) No more than four *cannabis outlets* are permitted in each City Council District, except that any permitted *cannabis outlet* that changes City Council District as a result of redistricting may remain at its originally permitted location for the duration of its permit, regardless of the number of permitted *cannabis outlets* within the new City Council District boundary, and subject to continued compliance with this section. *Cannabis outlets* are subject to the following regulations.

- (a) *Cannabis outlets* shall maintain the following minimum separation:
 - (1) 1,000 feet from resource and population-based city parks, other *cannabis outlets*, *churches*, child care centers, *playgrounds*, libraries owned and operated by the City of San Diego, *minor-oriented facilities*, residential care facilities, and schools. For purposes of this section, school means any public or private institution of learning providing instruction in kindergarten or grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. The distance shall be measured between the *property lines*, in accordance with Section [113.0225](#).
 - (2) 100 feet from the *property line* of a residentially zoned *lot* or *premises*. The distance shall be measured horizontally in a straight line between the two closest points of the *property lines* without regard to topography or *structures* that would interfere with a straight-line measurement.
- (b) Lighting shall be provided to illuminate the interior, facade, and the immediate surrounding area of the *cannabis outlet*, including any *accessory uses*, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties.
- (c) Security shall be provided at the *cannabis outlet* which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the *premises* during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.
- (d) Primary *signs* shall be posted on the outside of the *cannabis outlet* and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. Secondary *signs advertising cannabis*, window *signs* and any display visible from the *public right-of-way* are not permitted.
- (e) The name and emergency contact phone number of the designated responsible managing operator shall be posted in a location visible from outside the *cannabis outlet* in character size at least two inches in height.
- (f) The *cannabis outlet* shall operate only between the hours of [67:00](#) a.m. and [109:00](#) p.m., seven days a week.
- (g) The use of vending machines which allow access to *cannabis* and *cannabis* products except by a responsible person, as defined in San Diego Municipal Code Section [42.1502](#), is prohibited. For purposes of this Section, a vending machine is any device which allows access to *cannabis* and *cannabis* products without a human intermediary.



- (h) A permit shall be obtained as required pursuant to Chapter 4, Article 2, [Division 15](#).
- (i) A Conditional Use Permit for a *cannabis outlet* shall expire no later than five years from the date of issuance.
- (j) Deliveries shall be permitted as an *accessory use* only from *cannabis outlets* with a valid Conditional Use Permit unless otherwise allowed pursuant to state law.
- (k) The *cannabis outlet*, adjacent public sidewalks, and areas under the control of the *cannabis outlet*, shall be maintained free of litter and graffiti at all times.
- (l) The *cannabis outlet* shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
- (m) Consultations by medical professionals shall not be a permitted *accessory use* at a *cannabis outlet*.
- (n) A Conditional Use Permit for a *cannabis outlet* or medical marijuana consumer cooperative as defined in O-20356 converting to a *cannabis outlet*, may be amended in accordance with a Process Two decision as described in Section [112.0503](#), subject to this Section 141.0504(n).
 - (1) The separation requirements in Section 141.0504(a) shall not be considered in making the findings required for amendments processed in accordance with Section 141.0504(n).
 - (2) A change in zoning or change in Council District as a result of redistricting after the approval date of the current Conditional Use Permit shall not be considered in making the findings required for amendments processed in accordance with Section 141.0504(n).
 - (3) The *cannabis outlet* or medical marijuana consumer cooperative shall be subject to Section 141.0504(a) if expanded beyond the *premises* identified in the current Conditional Use Permit.
 - (4) A Conditional Use Permit for a *cannabis outlet* or medical marijuana consumer cooperative may be amended one or more times as follows:
 - (A) An application for an amendment may include a request to extend the expiration date for a period not to exceed five years.
 - (B) An amendment application to extend the expiration date of a Conditional Use Permit must be submitted and *deemed complete* prior to the Conditional Use Permit expiration date. The Conditional Use Permit shall automatically be extended until a decision on the amendment request is final, and all available administrative appeals of the project decision have been exhausted. This automatic extension does not apply to *development permit* applications that are closed in accordance with Section [126.0115](#).

(“Marijuana Outlets” added 2-22-2017 by O-20793 N.S.; effective 4-12-2017. Former Section 141.0504 “Plant Nurseries” renumbered to Section 141.0504; certified by California Coastal Commission 10-12-2017.)

(Retitled from “Marijuana Outlets” to “Cannabis Outlets” and amended 1-8-2020 by O-21163 N.S.; effective 2-9-2020; certified by California Coastal Commission 3-10-2021.)

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